

ZONING BOARD OF APPEALS MEETING MINUTES

MAY 2, 2005

PRESENT: Mary Cardin, Kenneth Braga, Adam LaFleche and Duane Zahner

ABSENT: Mark Spurling, Robert Palozej and Alternates Robert Wambolt and Joseph Snyder

STAFF

PRESENT: Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Cardin called the Zoning Board of Appeals (ZBA) meeting to order at 7:10 PM at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #V200507–Richard Montovani for variances to Ellington Zoning Regulations, Section 5.2 Area & Yard Requirements Schedule: to reduce the front yard setback from 35 feet to 15 feet and increase building coverage from 20% to 25.9% for construction of a house on property located at 6 Lake Lane, APN 149-057-0000 in a LR Zone

TIME: 7:11 p.m.

SEATED: M.Cardin, K. Braga, A. LaFleche and D. Zahner

Jay Ussery, J.R. Russo & Associates, came forward to explain the variance requests. He stated that the owners want demolish the existing home that is on a lot that predates zoning and construct a new home. Mr. Ussery presented the site plan, which showed the existing and proposed homes. He explained that the existing home violates the front yard and side yard setbacks and building coverage and that the new home would only require a variance to the front yard setback and building coverage. Mr. Ussery presented architectural drawings.

Chairman Cardin stated that there are only 4 members present and asked the applicant if they would like to close the hearing for a vote or continue the hearing. Mr. Ussery stated that they would like to continue the hearing to the June meeting.

MOVED (BRAGA), SECONDED (LAFLECHE) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING FOR #V200507—RICHARD MONTOVANI TO THE JUNE 6, 2005 MEETING.

2. #V200508—Mike Hyson for a use variance to Ellington Zoning Regulations, Section 4.8 PC-Planned Commercial Zone: to allow a detached garage for residential use on property located at 9 Main Street, APN 064-023-0000 in a PC Zone

TIME: 7:22 p.m.

SEATED: M.Cardin, K. Braga, A. LaFleche and D. Zahner

Mike Hyson came forward to explain his request. He stated that he is planning to purchase this home, but he needs a garage in order to store his cars and motorcycles.

Chairman Cardin asked what the hardship was and Joanne Fournier, the applicant's aunt, stated that is a residential use and he wants a garage. Chairman Cardin explained that a hardship cannot be personal or financial, that the commission could not create the hardship, and that they could not approve the application without a hardship.

Chairman Cardin asked if they would like to close the hearing for a vote or continue when there are more members present and the applicant told them to close the hearing.

MOVED (LAFLECHE), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #V200508—MIKE HYSON.

MOVED (BRAGA), SECONDED (ZAHNER) AND FAILED UNANIMOUSLY TO APPROVE #V200508—MIKE HYSON. APPLICATION DENIED DUE TO APPLICANT'S FAILURE TO DEMONSTRATE A LEGAL HARDSHIP.

IV. UNFINISHED BUSINESS:

1. General Discussion of Zoning Regulations

Chairman Cardin explained that the commission is reviewing items in the regulations for possible amendments to request that the Planning & Zoning Commission consider. She suggested tabling the item to the June meeting so that Commissioner Spurling, who had input regarding some possible changes, would be present.

TABLED TO THE JUNE 6, 2005 MEETING.

V. NEW BUSINESS:

1. Receipt of #V200509 (FWL Enterprises, LLC—117 Stafford Road)

Reanna Goodreau explained that this item is on the agenda for receipt and that the commission may want to set the public hearing date.

RECEIVED AND SET FOR PUBLIC HEARING FOR THE JUNE 6, 2005 MEETING.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 4, 2005 Meeting Minutes

TABLED TO THE JUNE 6, 2005 MEETING.

2. Correspondence:
 - a. Memo to Finance Department from Dennis Milanovich, dated 3/29/05 (Temporary Part-Time Position)
 - b. Memo to PZC from Matt Davis, dated 4/25/05 (Planimetrics Draft Proposal)

SO NOTED.

VII. ADJOURNMENT:

MOVED (BRAGA), SECONDED (LAFLECHE) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 7:45 PM.

Respectfully Submitted,

Reanna Goodreau
Recording Secretary